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Oceans and the law of the sea

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its thirteenth meeting

Letter dated 8 June 2012 from the Co-Chairs of the Consultative Process addressed to the President of the General Assembly

Pursuant to General Assembly resolution 66/231 of 24 December 2011, we were appointed as the Co-Chairs of the thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea.

We have the honour to submit to you the attached report on the work of the Informal Consultative Process at its thirteenth meeting, which was held at United Nations Headquarters from 29 May to 1 June 2012. The outcome of the meeting consists of our summary of issues and ideas discussed during the meeting.

In line with past practice, we kindly request that the present letter and the report of the Informal Consultative Process be circulated as a document of the sixty-seventh session of the General Assembly under the agenda item entitled "Oceans and the law of the sea".

(*Signed*) Milan Jaya **Meetarbhan**
Don **MacKay**
Co-Chairs

* A/67/50.

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Thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea

(29 May-1 June 2012)

Co-Chairs' summary of discussions[1]

1. The thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea ("Informal Consultative Process") was held from 29 May to 1 June 2012 and, pursuant to General Assembly resolutions 65/37 A and 66/231, focused its discussions on the topic entitled "Marine renewable energies".

2. The meeting was attended by representatives of 75 States, 10 intergovernmental organizations and other bodies and entities and 6 non-governmental organizations.[2]

3. The following supporting documentation was available to the meeting: (a) report of the Secretary-General on oceans and the law of the sea (A/67/79 and Corr.1); and (b) format and annotated provisional agenda of the meeting (A/AC.259/L.13).

Agenda items 1 and 2
Opening of the meeting and adoption of the agenda

4. The two Co-Chairs, Don MacKay (New Zealand) and Milan Jaya Meetarbhan (Mauritius), appointed by the President of the General Assembly, opened the meeting.

5. Sha Zukang, Under-Secretary-General for Economic and Social Affairs, and Stephen Mathias, Assistant Secretary-General for Legal Affairs, made opening remarks.

6. The meeting adopted the format and annotated provisional agenda and approved the proposed organization of work.

Agenda item 3
General exchange of views

7. The general exchange of views took place at the plenary meetings on 29 and 31 May. The discussions held on the topic of focus at the plenary meetings and within the panels are reflected in paragraphs 8 to 59 below.

8. Delegations expressed their appreciation for the report of the Secretary-General on oceans and the law of the sea (A/67/79 and Corr.1). They recalled that the United Nations Convention on the Law of the Sea ("the Convention") provided the framework for all activities in the oceans and seas, including in relation to

[1] The summary is intended for reference purposes only and not as a record of the discussions.

[2] A list of participants is available on the website of the Division for Ocean Affairs and the Law of the Sea at http://www.un.org/Depts/los/index.htm.

marine renewable energies. It was considered timely and relevant for the Informal Consultative Process to discuss the topic of marine renewable energies, which delegations considered as an untapped source of energy.

9. A call was made for States to decide and plan their marine renewable energies development goals bearing in mind the rights and obligations of States under the Convention. Many delegations emphasized the need to strengthen international cooperation to address challenges in the development of marine renewable energies in accordance with the current international legal framework. Capacity-building as well as the transfer of technology were considered essential elements of international cooperation and coordination. In this regard, some delegations indicated that the report of the Secretary-General could have placed more emphasis on Part XIV of the Convention.

10. Many delegations noted that the General Assembly had declared 2012 as the International Year of Sustainable Energy for All. The unbalanced state of development of marine renewable energies between developed and developing countries was pointed out by some delegations. Several delegations viewed access to modern affordable energy services in developing countries, in particular small island developing States, as essential for the achievement of the Millennium Development Goals and sustainable development. Others emphasized the importance of access to energy as a means of promoting equitable and durable economic development, as well as peace, stability and social justice.

11. In particular, the development of marine renewable energies could foster increased energy security, generate employment and play a role in mitigating the impacts of climate change. At the same time, the importance of assessing and studying the impacts of marine renewable energies, including on the marine environment, was stressed by several delegations.

Area of focus: marine renewable energies

12. In accordance with the annotated agenda, discussions in the Panel were structured around three segments: (a) marine renewable energies: types, uses and role in sustainable development; (b) ongoing or planned marine renewable energies projects/work at the global and regional levels; and (c) opportunities and challenges in the development of marine renewable energies, including for cooperation and coordination. The segments were launched by presentations from panellists, followed by interactive discussions.

13. Many delegations highlighted the timeliness and critical importance of the topic of focus, and it was noted that marine renewable energies should feature prominently in the discussions and outcome of the United Nations Conference on Sustainable Development (Rio+20 Conference). It was also observed that the topic of focus was fitting for discussion in the year that marked the thirtieth anniversary of the opening for signature of the Convention. The importance of the topic of focus for developing countries was particularly emphasized.

1. Marine renewable energies: types, uses and role in sustainable development

(a) Panel presentations

14. Alain Piquemal, Doyen, Institut du Droit de la Paix et du Développement, Université de Nice Sophia-Antipolis (France), and member of the Governmental

Council of the Sea (Monaco), presented an overview of the current implementation frameworks for marine renewable energies. He focused, in particular, on the legal, economic and financial instruments adopted by States to foster environmental protection, international cooperation and sustainable investments in the sector. Mr. Piquemal suggested that the ultimate objectives of these frameworks should be to secure investments, protect the environment, foster financial incentives and increase efforts in research and development, as well as to combat climate change and create economic wealth and employment.

15. John Huckerby, Chairman, Executive Committee, International Energy Agency Implementing Agreement on Ocean Energy Systems, focused on the development and distribution of marine renewable energy globally. He noted that wave and tidal energy was distributed mostly at mid to high latitudes, while ocean thermal energy conversion had more potential at tropical latitudes. He stressed that ocean energy technologies, except for tidal energy, were still immature and that many remained at the research and development stage, in particular, submarine geothermal, ocean thermal energy conversion and salinity gradient. In addition, he noted the major markets for marine renewable, including utility-scale electricity generation, off-grid energy generation for remote communities and the production of drinking water.

16. Jay Batongbacal, Assistant Professor, College of Law, University of the Philippines, spoke on renewable ocean energies and distributive justice in sustainable development. He pointed out that States should not only aim to promote marine renewable energies that were environmentally safe, but also ensure that the development and use of such energies led to greater social equity. Mr. Batongbacal identified equitable access to energy sources, distribution of benefits and costs and stakeholder participation in decision-making as the core elements of the concept of ecological social justice.

(b) Plenary and panel discussions

17. The meeting was informed of the launch, in November 2011, of the International Energy and Climate Initiative (Energy+), an international voluntary partnership established to contribute to the achievement of the objectives of the Secretary-General's "Sustainable Energy for All" initiative. Energy+ was also designed as a knowledge-sharing forum and an opportunity to create momentum for policy, technical and financial support.

18. Several delegations referred to the heavy reliance on the import of fossil fuels by small island developing States and associated high transportation costs. It was suggested that this situation illustrated the need for these States to develop alternative domestic renewable energy sources.

19. A view was expressed that the Convention was a clear expression of the intent and a fundamental instrument to achieve distributive justice in the use of the world's oceans by developing and developed States. It was suggested that distributive justice as a core principle of sustainable development aimed at addressing, inter alia, access to resources and the distribution of benefits and burdens, should also apply to marine renewable energies.

20. Several delegations stated that the scope of the concept of marine renewable energies should be clarified. It was indicated that the meeting would take a broad

approach to the topic and consider both renewable energies that are derived from the oceans and those sources of energy that are located directly in the oceans.

21. With regard to the types and uses of marine renewable energies, several delegations drew particular attention to the advances in the offshore wind power market in the past two decades and the promises of tidal range technologies. Some delegations highlighted that tidal power stations with barrage dams had been in use since 1966. It was noted, however, that wave power technology was still far from reaching commercial potential. Several delegations also observed that, while ocean thermal energy conversion was particularly relevant in tropical latitudes, the technology had mostly been developed by countries in northern latitudes. In this regard, a panellist noted a recent resurgence in the development of ocean thermal energy conversion in the tropics, albeit at a small experimental scale.

22. Some delegations highlighted the desirability of adopting measures and regulations for the protection of the marine environment in the promotion of marine renewable energies.

23. The importance of lowering operational costs to facilitate the development of relevant technologies was also recognized. A panellist suggested that incentives, such as cost differentials between on-land fossil fuel exploitation and offshore electricity production, or fiscal support for the exploitation of marine renewable energies could increase investments in research and development.

24. The need for coherent and transparent regulatory frameworks was emphasized by some delegations. A panellist referred to the issue of regulation of renewable energy installations and production, and observed that in several developed countries these installations were located on sites leased from the State. In some cases, the leases were granted in conformity with the national marine spatial planning programmes and required operators to obtain the requisite licenses and permits, provide financial guarantees in case of damage to the environment and pay licensing fees. Another panellist noted that a percentage of royalties from the energy production could be allocated to local communities.

25. Recalling General Assembly resolution 2749 (XXV), in which the Assembly had declared that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, were the common heritage of mankind, an enquiry was made whether a specific set of regulations akin to that in place for minerals found in the Area might be required for biota harvested in the Area for use as biofuels, hydrogen production or other forms of marine renewable energies. A panellist responded that the current regime for resources from the Area was focused on minerals and on extraction rather than energy production but suggested that the jurisdictional scope of the International Seabed Authority could be expanded. This panellist also noted lacunas in the regimes applicable to methods utilized for the transmission of offshore energy onto land and the need to ensure the coherence of measures applicable in the Area and in areas within national jurisdiction.

26. In response to a question posed with regard to the construction and maintenance of marine renewable energies installations, a panellist noted that floating devices could be easier to maintain than structures attached to the sea floor. Several panellists noted that biofouling was a problem in some regions. These panellists observed that there were currently no international standards for the

construction and removal of marine renewable energy installations, but indicated that certain International Maritime Organization regulations for offshore installations could serve as a reference, including with respect to safety and exclusion zones. Some panellists pointed out that national legislation in some countries addressed the removal of installations and that regulations relating to offshore oil and gas installations could be applied by analogy to marine renewable energy facilities. Some delegations noted that assessments of the long-term environmental impacts of such energies were scarce, given the relatively short experience with marine renewable energies to date, and indicated that caution should therefore be exercised.

27. Attention was drawn to the potential role of the International Renewable Energy Agency (IRENA) in relation to marine renewable energies. A panellist indicated that IRENA currently had a limited role in this regard and noted that the International Energy Agency (IEA), which was cooperating with IRENA, was more actively engaged in marine renewable energies.

2. Ongoing or planned marine renewable energies projects/work at the global and regional levels

(a) Panel presentations

28. Arjoon Suddhoo, Executive Director, Mauritius Research Council, described the ongoing projects and opportunities for the development of marine renewable energies in his country, including a long-term, land-based oceanic industry. He mentioned the Maurice Île Durable Vision, which sets out the country's commitment to increasing the share of renewable energy, and stated that the Government programme for 2012-2015 emphasizes the development of an ocean economy. He highlighted the need for innovative business partnerships, science-based policymaking and effective regulatory regimes in the further development of marine renewable energies.

29. Masahiro Matsuura, Associate Professor, Graduate School of Public Policy, University of Tokyo, presented non-technical barriers to the development of offshore wind development in Japan, including the concerns of developers and stakeholders, in particular fishing communities. He highlighted initiatives to build support from those communities for offshore wind development. Mr. Matsuura stressed the importance of considering regulatory, political and cultural aspects in the development of marine renewable energies.

30. Omar bin Yaakob, Professor, Faculty of Mechanical Engineering, Malaysian University of Technology, spoke on marine renewable energy initiatives in Malaysia and South-East Asia, in particular with regard to ocean thermal energy conversion. He highlighted the challenges relating to policy and institutional frameworks, technological development, unsustainable research and development, conflicting uses and barriers to market development. He then emphasized the differences between the theoretical, technical and practical potential of sources of energy and stressed the need for technical expertise and financial assistance, regional cooperation in research and development and region-specific technologies for marine renewable energies.

31. Segen Estefen, Professor of Ocean Structures, Instituto Alberto Luiz Coimbra de Pós-Graduação e Pesquisa de Engenharia, Federal University of Rio de Janeiro,

described ocean energy in view of the latest report of the Intergovernmental Panel on Climate Change on renewable energy sources and climate change mitigation, with an emphasis on activities in Brazil. He stressed the technical and resource potential of marine renewable energies, including reducing greenhouse gas emissions, as well as the difficulties in assessing the costs of such technologies. Mr. Estefan noted the theoretical potential for ocean energy, which easily exceeded present human energy requirements, and stressed the need to assess the feasibility of technologies in the light of capacity factors. He highlighted the importance of, inter alia, technical improvements, successful deployment experience and synergies with the oil and gas industry to reduce the costs of marine renewable energies.

(b) Plenary and panel discussions

32. Delegations emphasized the significant potential of marine renewable energies to contribute to energy needs, improve economic well-being and reduce greenhouse gas emissions. The need for the sustainable development of these resources was also stressed. Several delegations also emphasized the importance of cooperation and coordination in sharing best practices and in technology transfer, as well as research and development.

33. Many delegations provided information on policies or legislation relevant to marine renewable energy, and on the planned and ongoing marine renewable energy projects in their respective countries, including efforts to reach competitive commercial production.

34. Delegations were also made aware of a number of regional initiatives, such as the Waiheke Declaration, adopted in September 2011 by the leaders of the Pacific Islands Forum, in which they committed to improving energy security through greater efficiency measures and the promotion of clean and affordable energy, including renewable energy. The Intergovernmental Oceanographic Commission/Subcommission for the Western Pacific Workshop on the Status of Marine Renewable Energy Technology Development in Western Pacific was held in Kuala Lumpur, in February 2012, and had aimed, inter alia, at facilitating the establishment of a research and development network, sharing relevant best practices and identifying pilot projects among member States. The Barbados Declaration on Achieving Sustainable Energy for All in Small Island Developing States was adopted in May 2012 by the leaders of the Alliance of Small Island States, who called, in the context of sustainable development, for affordable and modern energy access, renewable energy, energy efficiency and low carbon development.

35. Views were expressed in favour of long-term political commitments for marine renewable energy projects and for broad goals rather than detailed targets. A view was expressed on the importance of securing supplies of, and markets for, energy in the development of marine renewable energies projects, as well as a single approval process. Proper planning of installations and the adoption of mitigation measures, as well as the application of the precautionary approach was also emphasized.

36. Several delegations raised questions over financing and how to attract investments in marine renewable energy projects, including through public-private partnerships. A panellist indicated that business models for marine renewable energy projects were being developed, but noted complexities given the wide range of issues that could be addressed, including potential damage to the marine

environment. Through public-private partnerships, Governments could facilitate the development of projects with input from various stakeholders. It was also noted that, in some developing countries, the project scale was small and did not require large investments.

37. Several delegations and panellists highlighted the valuable lessons that could be learned from the oil and gas industry experience and the usefulness of developing synergies with this industry. Some panellists drew attention to the fact that the challenges faced by the two industries were similar, in particular in the deployment of offshore platforms and the transmission of energy to land-based facilities. Developers of marine renewable energies could also benefit from the use of common testing facilities and from the experience gained in the design, construction, installation and maintenance of large-scale oil and gas facilities at sea.

38. Several delegations highlighted the importance of resolving conflicting uses in the development of marine renewable energy projects. The need to explore compromises among ocean energy developers and stakeholders, such as coastal communities and fishermen, was underscored. The role of marine spatial planning and stakeholder participation in the decision-making process was highlighted by several delegations, as well as the need to compensate users of the oceans, in particular fishing communities. Attention was drawn to experiences where fishermen had the right to be compensated when traditional fishing grounds were no longer available.

39. The importance of addressing the impacts on the freedom of navigation was also highlighted. It was suggested that, while the concerns of local stakeholders, such as fishermen, could be addressed through domestic regulatory and policy frameworks, the issue of freedom of navigation was a matter of international concern. A panellist suggested that such issues could be addressed through inter-agency coordination within Governments. Another panellist indicated that marine renewable energy projects, such as floating platforms, did not generally interfere with navigation. More permanent installations, such as tidal barrages, could be properly marked. Reference was made in this regard to the long-standing experience of tidal barrage power stations and the importance of updating such technologies to conform to new standards as established, for example, at the regional level. The need to further study the impacts of such barrages on the marine environment was highlighted.

40. The need to strengthen capacity and increase research in the development of marine renewable energies was stressed by several delegations. A panellist suggested that regional working groups could be developed to share information and coordinate joint projects on marine renewable energies, as was being undertaken in South-East Asia.

41. The difficulties encountered by small island developing States with regard to marine renewable energies were highlighted. The development of marine renewable energies by those States was considered to be an especially daunting task in the light of the other challenges they faced relating to dependence on external sources of energy and high vulnerability to natural disasters. The importance of strong political commitment in these countries to promote marine renewable energies, in spite of these challenges, was emphasized by some panellists. Several delegations called for cooperation to assist small island developing States in developing the necessary capacity and for facilitating the transfer of marine technology.

42. Questions were raised regarding the potential of marine biofuels as an energy source, including the possible impacts on the marine environment and the opportunities for developing countries. A panellist responded that exploitation studies on marine biofuels were being conducted, but that progress had been limited to the laboratory stage.

43. Some delegations raised concerns over the possible impacts of marine renewable energy projects on the marine environment, in particular from ocean thermal energy conversion. A panellist explained that the environmental impacts of ocean thermal energy conversion depended on the nature of the water-recycling system, and it was noted that a closed-circuit system would have virtually no impact on the marine environment. Attention was also drawn to the possible impacts of offshore wind energy development on landscape and seascape aesthetics and property market values, as well as on cultural and religious interests.

44. Some delegations enquired about the possible location of marine renewable energy installations in areas beyond national jurisdiction. Some panellists, while noting that marine renewable energy projects were not currently being developed in these areas, indicated that it was theoretically possible. The energy potential of these areas was noted. Questions were raised over the ownership and the transmission of energy to land-based facilities from areas beyond national jurisdiction, as well as the appropriate forum for the resolution of possible jurisdictional issues. Some panellists suggested that these issues should be addressed at the international level.

3. Opportunities and challenges in the development of marine renewable energies, including for cooperation and coordination

(a) Panel presentations

45. Vanessa E. H. Stewart, Chief Operating Officer and Co-founder, Soltage LLC, gave a presentation on the opportunities and challenges in the development of the renewable energy sector. In particular, she emphasized that in order to support growth in new energy sources, development and policy plans should ensure that energy production costs could compete with other generation sources. For this purpose, the panellist reviewed the risk factors and mitigation opportunities for developing a scalable investment climate for countries in which marine renewable energies represented promising generation sources.

46. Martin J. Attrill, Director, Marine Institute, University of Plymouth, focused on the environmental impacts of marine renewable energies, and reviewed the evidence of operational impacts of various types of marine renewable energy devices on birds and marine organisms. He observed that studies had indicated that marine renewable energy devices would not have major adverse impacts on marine populations and that their presence could have positive impacts by providing new habitats for colonization and protection from damaging extractive activities.

47. Dengwen Xia, Deputy Director, National Ocean Technology Centre of Tianjin, spoke on the opportunities and challenges in the development of marine renewable energies in China. He provided an overview of marine renewable energy policies, technologies and projects in his country and highlighted the opportunities stemming from the increased attention of the Government on marine renewable energies, the growing involvement of various sectors and stakeholders, the experience in research and development on marine renewable energy, technical and technological

foundations, environmental protection and the promotion of economic growth and poverty eradication. In terms of challenges, he noted the lack of key technologies, the possible negative impacts on the marine environment, conflicts over ocean space uses, and the growing gaps between developing and developed countries. Mr. Xia stressed the importance of increased cooperation and proposed the establishment of global coordination frameworks as well as strengthening the role of regional organizations, including enhancing participation in the IEA Implementing Agreement on Ocean Energy Systems.

48. Joseph Williams, Manager, Energy Programme, Caribbean Community (CARICOM) secretariat, outlined the opportunities and challenges in the development of marine renewable energies in the Caribbean region and noted that renewable energy and energy efficiency could provide a response to the energy challenges of CARICOM countries. He emphasized the opportunities for marine renewable energies, since all CARICOM States were surrounded by the sea, with proximity to load centres on the coast, as well as support for ocean thermal energy conversion and relatively low demand for electricity. Mr. Williams also identified key challenges, including weak support for research and development for renewable energy, limited international support for unproven technologies and the potential conflict between marine renewable energy development and the tourism sector.

(b) Plenary and panel discussions

49. Delegations recognized that marine renewable energies offered unprecedented opportunities, but also presented environmental, economic and social challenges, especially to developing countries, including with regard to undertaking scientific research and acquiring technological knowledge.

50. Many delegations emphasized that sustainable funding, technology transfer and capacity-building were critical to ensuring that developing countries with potential natural renewable energy resources, in particular small island developing States, could benefit from these resources. Some delegations underscored the need for further efforts in this regard, since marine renewable energies were still at the early stages of development and were expensive to deploy. In addition, most of the resources needed to generate marine renewable energies were not accessible to developing countries. Many delegations also emphasized the long-term impact of investments in marine renewable energies in their markets.

51. Promoting international cooperation among developed countries, within regional and international organizations and between developed and developing countries, was highlighted. At the regional level, it was noted that marine renewable energies could play a role in the Mediterranean region by bridging the economies of North Africa and Southern Europe through the strengthening of technical cooperation and exchange of knowledge. With reference to the experience of the Caribbean countries, regional cooperation was highlighted as an important element for the future development of marine renewable energies.

52. Several delegations drew attention to projects for technology transfer and capacity-building. In this regard, it was observed that IRENA supported technology cooperation, capacity-building and policy advice. Several delegations also noted the possibilities for technology transfer and the exchange of knowledge in the context of the United Nations Framework Convention on Climat Change.

53. The importance of governmental policies and financial support in encouraging investments in marine renewable energies was underscored by some delegations. Particular emphasis was given to developing regulatory frameworks in conformity with international law. In this regard, the United Nations Convention on the Law of the Sea was highlighted as the legal framework for any discussion on the development and exploitation of marine renewable energies.

54. In response to a question on the types of incentives for marine renewable energy technologies to achieve their commercial potential, a panellist emphasized that Governments should support site assessment and site access for nascent technologies, as these elements could pose financial and logistical challenges for developers. Feed-in tariffs could offer suitable incentives for more mature technologies. The costs of marine renewable energies should be lowered to make them an attractive alternative to fossil fuels, in the view of several delegations.

55. Among the challenges faced in the development of marine renewable energies, it was noted that investing in new technologies was generally limited to States with the financial means to accept the risks associated with technologies and sources of energies that were not yet commercially viable. In that regard, developing countries could generally invest in marine renewable energies that were more mature. The potential role of "the Green Fund" under the Intergovernmental Panel on Climate Change and the nationally appropriate mitigation actions in the context of the Climate Change Convention, with special emphasis on the Caribbean region, was highlighted by several delegations. Issues of supply of technology for commercially available marine renewable energies were also noted.

56. Several delegations stressed that the development of marine renewable energy production would require a structured process for the allocation of ocean space. Delegations were informed of certain legislative frameworks that envisaged marine plans at the regional level to apply area-specific management of marine resources and activities. These plans had improved the understanding of the activities taking place and provided greater certainty for developers, while reducing the burdens on the industry.

57. Attention was also drawn to marine spatial planning as an important tool to manage competing demands and to reduce the possibility for conflicts among the traditional and new uses of the oceans. Delegations also noted that such tools could sustain ecosystem functions and services, provide for public access and increase certainty and predictability for economic investments. Some delegations noted other tools that could be used to manage marine renewable energies, including strategic environmental assessments, environmental impact assessments and ecosystem-based management.

58. Several delegations recalled the need to give due consideration to the potential adverse environmental, social and cultural impacts of marine renewable energies. A panellist indicated that a comprehensive evaluation of all relevant environmental, social and economic aspects should be conducted and that marine renewable energy projects should be pursued if these factors were generally favourable. It was also stressed that assessments of the impacts of marine renewable energy projects should consider the impacts on other existing uses of the oceans, in particular the impacts of large-scale marine renewable energy facilities on navigation, including from changes in the speed and direction of currents.

59. It was also recalled that the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas had called for further research on the effects of wind farms on cetaceans and for strategic environmental assessments in connection with the location of marine renewable energy sites, as well as mitigation measures. Several delegations reported undertaking comprehensive environmental monitoring for large-scale offshore wind farms, and noted that the outcomes were being taken into account in marine spatial planning. With regard to cumulative impacts, a panellist recommended that any assessment of the impacts of noise pollution should take a balanced approach and consider how such pollution could be reduced from all sources. A view was expressed to suggest that baseline data should be gathered in order to facilitate future assessments, especially for the possible cumulative effects of marine renewable energies on the marine environment.

60. A question was raised on whether impact assessment reports for marine renewable energies were publicly available in the light of articles 205 and 206 of the Convention. A panellist clarified that some assessments were carried out by private companies and were considered to be commercially sensitive and therefore not publicly available. Examples of publicly available assessments were provided.

Agenda item 4
Inter-agency cooperation and coordination

61. Andrew Hudson, UN-Oceans Coordinator, reported on the activities of UN-Oceans. He updated the meeting on follow-up actions to General Assembly resolution 66/231. In this regard, he informed the meeting that the review of UN-Oceans by the Joint Inspection Unit had commenced in early 2012 and was expected to be completed in time for the sixty-seventh session of the General Assembly. He also noted that UN-Oceans had established an online consultative process on the preparation of draft terms of reference for UN-Oceans for consideration by the Assembly at its forthcoming session.

62. The Coordinator highlighted that the United Nations Atlas of Oceans, an activity under UN-Oceans, was celebrating 10 years of sharing ocean-related information and that it was receiving approximately 10,000 visits per month.

63. Mr. Hudson also briefed the meeting on the activities of UN-Oceans and its member agencies in the context of the forthcoming Rio+20 Conference. He pointed out that the responding agencies were actively providing various inputs to the Conference, including through the submission of reports and the organization of events in Rio de Janeiro.

64. He informed the meeting that the full report of the ninth meeting of UN-Oceans was available on the UN-Oceans website. The tenth meeting would be held at the International Exposition 2012 at Yeosu, Republic of Korea, on 11 August 2012.

65. In response to questions regarding the structure and functioning of UN-Oceans, and the potential usefulness of establishing an executive board for UN-Oceans, similar to that of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), Mr. Hudson observed that UN-Oceans was

a coordination mechanism for United Nations agencies, programmes and funds and not an organization or institution with dedicated staff and funding.

66. In relation to concerns raised about coherence in the objectives of Member States and those of UN-Oceans, Mr. Hudson expressed the view that the terms of reference of UN-Oceans clearly defined the scope of UN-Oceans by ensuring the coherence of the United Nations system activities on oceans and coastal areas with the mandates of the General Assembly, and the priorities contained in the Millennium Development Goals, the Plan of Implementation of the World Summit on Sustainable Development and of the governing bodies of all UN-Oceans members.

67. Some delegations suggested that the participation and interaction of Member States in meetings and decision-making processes of UN Oceans should be improved, and that the work of the mechanism should be made more transparent. In that regard, they recalled the request to UN-Oceans, in accordance with paragraph 239 of resolution 66/231, to submit the draft terms of reference for its work to be considered by the General Assembly at its sixty-seventh session. They also welcomed the review of UN-Oceans by the Joint Inspection Unit and hoped that the review could address these issues. In response, Mr. Hudson expressed the view that Member States participated in several ways, including through reporting to the Informal Consultative Process. As regards transparency, he noted that details on the activities of UN-Oceans were available on its website.

Agenda item 5
Process for the selection of topics and panellists so as to facilitate the work of the General Assembly

68. Delegations expressed satisfaction with the selection of panellists for the meeting and the balanced representation from different regions, including from developing countries. Appreciation for the work of the Co-Chairs in that regard was expressed.

69. As to the selection of topics to be discussed at upcoming meetings of the Informal Consultative Process, it was recalled that at the tenth meeting it had been decided that all future topics should be considered in relation to the three pillars of sustainable development.

70. The view was expressed that the consideration, approval and adoption of topics for subsequent meetings should continue to improve. In this regard, it was noted that the General Assembly, at its sixty-seventh session, would be considering new topics. It was emphasized that efforts should be made to improve the understanding of the proposed topics by providing a concept paper prior to the first round of informal consultations on the annual General Assembly resolution on oceans and the law of the sea, so as to facilitate discussions during the consultations.

Agenda item 6
Issues that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea

71. The Co-Chairs drew attention to the composite streamlined list that they had prepared of issues that could benefit from attention in the future work of the General Assembly on oceans and the law of the sea.[3] Several delegations noted that suggestions to that effect were linked to the possible renewal of the mandate of the Informal Consultative Process by the General Assembly at its sixty-seventh session. A view was expressed in favour of a further extension of such mandate.

72. A proposal was made, and supported by several delegations, for the fourteenth meeting of the Informal Consultative Process to carry out an in-depth review of the oceans-related outcomes of the Rio+20 Conference, and how those outcomes would impact and benefit international coordination and cooperation. The consideration of issues relating to sea-level rises and their impact on security and survival, particularly on the low-lying coastal areas and island nations, against the background of sustainable development was also suggested by many delegations. In addition, they proposed another theme for consideration on aspects of marine scientific research related to sustainable development.

[3] Available at: http://www.un.org/Depts/los/consultative_process/consultative_process_info.htm#Information%20for%20participants.